

REMARKS

Claims 1 and 4-9 are pending in the application. Claims 2 and 3 have been cancelled. Claims 1, 8, and 9 are in independent form.

Claim Rejections – 35 USC §102

Claim 8 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,743,596 to Chabanne ("the '596 reference"). Applicants respectfully traverse the rejection.

Claim 8 of the above-captioned application claims a riser assembly including a front latch mechanism adapted to be operatively coupled to a front slide rail, the front latch mechanism having a support plate for supporting the riser assembly on the front slide rail; a rear latch mechanism adapted to be operatively coupled to a rear slide rail, the rear latch mechanism having a mounting plate for supporting the riser assembly on the rear slide rail and a pair of opposing front and rear latch plates independently pivotally coupled to the mounting plate, each of the pair of opposing front and rear latch plates selectively engaging the rear slide rail for securing the rear latch mechanism to the rear slide rail; and a release cam member operatively coupled between the pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing the pair of opposing front and rear latch plates from engagement with the rear slide rail to selectively couple the riser assembly to the rear slide rail.

The '596 reference does not disclose a pair of opposing front and rear latch plates independently pivotally coupled to a mounting plate, as specifically required by claim 8 in the above-captioned application. In the '596 reference, a front catch (19) is pivotally coupled to a common support (21) and includes a fork or hook (24) oriented in a forward-facing direction for engaging a first rear rod (14). A rear catch (20) is pivotally coupled to the common support (21) and includes a fork or hook (26) oriented in a forward-facing direction for engaging a second rear rod (14). Both the front catch (19) and the rear catch (20) pivot in the same direction, i.e., a counterclockwise direction (see direction indicated by arrows 45 and 46, respectively), to release the device in the open position. Since the hook (24) on the front catch (19) and the hook (26) on the rear catch (20) both face the same direction and the front catch (19)

and the rear catch (20) both pivot in the same direction to the open position, it is clear that the front catch (19) and the rear catch (20) are not opposing. Thus, this limitation in claim 8 of the above-captioned application is clearly not shown in the '596 reference.

Further, the '596 reference does not disclose a release cam member operatively coupled between a pair of opposing front and rear latch plates for simultaneously engaging and pivotally releasing the pair of opposing front and rear latch plates from engagement with a rear slide rail, as specifically required by claim 8 of the above-captioned application. The Examiner contends that a triangular protuberance (27) on the rear lever (20) in the '596 reference is equivalent to the release cam member 130 in the above-captioned application. The protuberance (27) does not simultaneously engage the front catch (19) and the rear catch (20) to pivotally release the pair of catches (19), (20) from the first rear rod (14) and the second rear rod (14). Rather, when the rear catch (20) is pivoted in the counterclockwise direction the protuberance (27) is disengaged from the path of a heel (25) of the front catch (19), which is then pivoted in the counterclockwise direction by its return spring (29). Therefore, the protuberance (27) disengages, not simultaneously engages the catches (19), (20) to pivotally release the catches (19), (20). Thus, this limitation in claim 8 of the above-captioned application is clearly not shown in the '596 reference.

Therefore, Applicants respectfully request that the rejection of claim 8 under 35 U.S.C. §102(b) as being anticipated by the '596 reference be withdrawn.


Allowable Subject Matter

Claims 1, 4-7, and 9 have been allowed.

Appl'n No: 10/566,455
Amdt dated February 13, 2009
Reply to Office action of November 13, 2008

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or the patent application, the Examiner is invited to contact the undersigned.

Respectfully submitted,



David J. Ford (Reg. No. 62,462)
Clark Hill PLC
500 Woodward Avenue, Suite 3500
Detroit, MI 48226-3435
(313) 965-8300

Date: Feb. 13, 2009
Attorney Docket No: 19365-124952